

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**LEE SCHMIDT and CRYSTAL  
ARRINGTON,**

**Plaintiffs,**

**v.**

**CITY OF NORFOLK, the NORFOLK  
POLICE DEPARTMENT, and MARK  
TALBOT, in his official capacity as the  
Norfolk Chief of Police,**

**Defendants.**

**Case No. 2:24cv621**

**ORDER**

This matter is before the Court on Flock Group, Inc., d/b/a Flock Safety's ("Flock") Joint Motion for Modification of Protective Order, ECF No. 52. Plaintiffs and Defendants joined in the Motion, but it was filed by Flock. *Id.* Therein, the parties seek to modify the Consent Protective Order entered in this case on March 12, 2025. ECF No. 34.


Only the parties to a proceeding may file motions and pleadings for the Court's consideration. *See Bean v. Hautamaki*, No. 04-C-447-C, 2005 WL 1957908, at \*1 (W.D. Wis. July 12, 2005) ("Only the parties to a lawsuit or their lawyers may file documents for the court's consideration in a lawsuit."); *United States v. Williams*, No. 4:10CR54, 2016 WL 270862, at \*2 (N.D. Fla. Jan. 21, 2016) ("A nonparty is not entitled to ask for relief on a defendant's behalf; only the parties may file motions or otherwise seek a ruling from a court."); *In re Bergeron*, 636 F.3d 882, 883 (7th Cir. 2011) ("A nonparty cannot inject himself into a case without intervening . . . unless the judgment 'concludes the rights of the affected person who cannot litigate the issue in some other forum.'") (quoting *SEC v. Enterprise Trust Co.*, 559 F.3d 649, 651 (7th Cir. 2009))

(internal citations omitted); *United States Sec. & Exch. Comm'n v. Ahmed*, No. 3:15CV675, 2021 WL 1840276, at \*1 (D. Conn. Mar. 9, 2021) (“The Federal Rules of Civil Procedure contemplate that only those designated as parties may file motions and pleadings.”) (citing Fed. R. Civ. P. 7).

Flock filed a Motion to Intervene, ECF No. 39, before it filed the Joint Motion for Modification of Protective Order, ECF No. 52. The Motion to Intervene is still pending, so Flock is not yet a party to this proceeding and may not file further motions until and unless the Motion to Intervene is granted. Therefore, the Joint Motion for Modification of Protective Order, ECF No. 52, is **DENIED** at this time.<sup>1</sup>

The Clerk is **DIRECTED** to forward this Order to all counsel of record.

It is so **ORDERED**.



Lawrence R. Leonard  
United States Magistrate Judge

Norfolk, Virginia  
April 24, 2025

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<sup>1</sup> The Court will certainly consider any similar motions that later may be filed as long as they are properly submitted by a party or parties to the litigation only.